

With the advancement in technology, what are some of the threats to those charged with a crime?

The accelerated pace of technological advancements has commenced a new era in criminal justice, transforming the landscape for both law enforcement and those charged with a crime. While technology enhances the investigative process, it simultaneously introduces threats to the rights and privacy of individuals facing criminal charges.

One of the most prominent threats to those charged with a crime is the expansive use of digital surveillance technologies by law enforcement. Electronic surveillance, including wiretapping, Close-Circuit TV, and monitoring of online activities, has become prevalent. All of these have increased the monitoring of individuals, potentially capturing evidence that can be used in trials. Such practices, while aiding investigations, have raised serious concerns about the deterioration of a person's right to privacy. Other digital evidence can be found on phones, computers, and online accounts. Although these are personal items, the data can still be accessed and used in court. The rapid changes in technology result in ambiguity regarding the extent to which these technologies can be employed without infringing upon constitutional rights.

As a form of digital evidence, the use of social media in the realm of criminal investigations has ushered in a new era of evidence gathering. Law enforcement agencies frequently conduct social media investigations, monitoring platforms for potential evidence that could be pertinent to ongoing cases. Posts, messages, and other digital interactions serve as a virtual trail of evidence that law enforcement may follow to establish connections, timelines, or motives. While this practice can be instrumental in building a case, it also introduces a nuanced challenge to the

judicial process. The use of social media content as evidence in court not only raises questions about the authenticity and admissibility of digital information but also shapes public perception of the accused bringing bias into the question of reasonable doubt. Balancing the benefits of social media scrutiny with the potential impact on the accused's right to a fair trial becomes a complex task in the evolving investigative techniques.

Advancements in DNA and biometric technology, including facial recognition and fingerprint analysis, have become integral to criminal investigations and cold cases. Although concerns about the accuracy of these technologies and the potential for algorithmic bias persist and could be a threat to suspects, the technology is moving towards deleting the "reasonable doubt" with its reliability of the results. Current laws are also moving forward to address the use of such technologies to varying degrees through interpretation of our Constitution and laws, but as for now, they often lack specificity regarding the permissible scope and potential consequences within the legal system.

Law enforcement agencies' deployment of invasive surveillance technologies, such as Stingrays and IMSI catchers, has sparked apprehension and scrutiny. Stingrays, in particular, operate by mimicking mobile phone towers, allowing them to intercept and collect cellular data within their vicinity. While these devices are valuable tools in criminal investigations, concerns are escalating regarding their invasive nature and potential infringement on privacy rights. The indiscriminate gathering of cellular data also raises questions about the balance between law enforcement's need for effective tools to investigate a crime and the preservation of individuals' privacy. Finding a delicate equilibrium between public safety and the protection of civil liberties

becomes crucial as lawyers, lawmakers, and society grapple with the ethical implications of the use of these surveillance technologies.

In the realm of justice and the constitution, the emergence of technology and personal privacy introduces significant concerns regarding data security and integrity. Data breaches pose a substantial threat, as sensitive information tied to criminal cases becomes susceptible to unauthorized access, potentially resulting in privacy violations. In addition, the adoption of algorithms raises issues of technological bias, where certain communities may be disproportionately impacted by these outcomes. This not only leads to unfair targeting but also heightens the risk of injustice. Additionally, the misuse of technology, exemplified by the rise of manipulated media, introduces a new layer of complexity. These creations can cast doubt on the authenticity of evidence, potentially giving rise to false accusations and the dissemination of misinformation. As technology evolves, addressing these challenges becomes imperative to uphold the principles of justice and protect the rights of individuals involved in criminal proceedings.

The advent of technology brings both promise and peril to those charged with a crime. While technological advancements enhance law enforcement capabilities, they can simultaneously pose threats to privacy, due process, and the right to a fair trial. It is crucial for legal systems to address these challenges, balancing the need for effective law enforcement with the protection of individual rights and privacy in the face of evolving technological threats. Current laws, even though they attempt to explore these challenges, often fall short of providing proper solutions. Legislation, oversight, and ethical considerations are essential in mitigating potential risks to those charged with a crime. The ongoing dialogue between technological innovation and legal

frameworks is necessary to ensure that the rights of individuals facing criminal charges are protected in the complicated and evolving digital landscape.